

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CHRIS NANNY,

Petitioner, : Case No. 3:12-cv-172

- v -

**District Judge Timothy S. Black
Magistrate Judge Michael R. Merz**

SHERIFF JAMIE KINMAN,

Respondent. :

REPORT AND RECOMMENDATIONS

Petitioner Jamie Kinman brought this action in mandamus and prohibition under 28 U.S.C. § 1651 against Respondent Jamie Kinman, Sheriff of Carrollton, Kentucky (Petition, Doc. No. 1).

Because Petitioner filed the case without either paying the filing fee or filing an application to proceed *in forma pauperis*, the Court ordered him to either pay or file for pauper status by June 20, 2012, and also to file an amended petition satisfying the deficiencies set out in the Order. Petitioner has not responded. It is therefore respectfully recommended that this action be dismissed without prejudice for want of prosecution.

July 2, 2012.

s/ Michael R. Merz

United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed.R.Civ.P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed.R.Civ.P. 6(e), this period is automatically extended to seventeen days because this Report is being served by one of the methods of service listed in Fed.R.Civ.P. 5(b)(2)(B), (C), or (D) and may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See, United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).